

Pete's Accomplishments in the 106th Congress

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Health (top)

As the ranking Democratic Member of the Ways and Means Subcommittee on Health, Stark continued his efforts to improve Medicare, help the uninsured, and promote better healthcare for all Americans. His position on the Subcommittee enables him to specialize in these key issues impacting all Americans.

Patients' Bill of Rights (HMO reform)

Stark continues to be a leader in the HMO reform fight. In the 104th Congress, he introduced what may have been the very first HMO reform bill. He is one of the original cosponsors of the Patients' Bill of Rights in the 106th Congress, and is on the House-Senate Conference Committee of senior Members trying to resolve differences between the strong House bill (much of which is based on an original bill of Stark's from the 104th Congress) and the weak Senate bill, which fails to cover more than one-fourth the people covered by the House bill, and which does not allow a person injured by a health plan to sue that plan for denial of care. While the 106th Congress adjourned without passing the Patients' Bill of Rights, it is likely to receive early attention in the 107th Congress.

To help seniors dropped by their Medicare HMOs, Stark led on February 2, 1999 in introducing legislation (portions of which were adopted in the Balanced Budget Refinement Act of 1999) to postpone the date that HMOs have to submit their plans for the following year (thus making it easier for plans to predict income and costs and thus encouraging them to stay in the Medicare HMO program) and to make it easier for beneficiaries to find a replacement medigap policy.

Leading the Fight for a Medicare Prescription Drug Benefit

Stark re-ignited the debate on the need for a Rx benefit in Medicare by his introduction of a Medicare Prescription Drug benefit bill in the fall of 1998 (HR 4753). The bill was revised and reintroduced with Senator Kennedy as HR 1495. This bill became the basis for the Democratic Medicare Prescription Drug bill later in the year. It was support for this bill that forced the Republican House leaders into debating a prescription drug benefit in the full House.

On July 14, 1999, Stark's amendment in Ways and Means to offer a tax credit of 50% for Medicare beneficiaries on the

cost of drugs up to \$2000 in 2003, rising to \$5000 by 2009 was defeated on a party line vote, but helped force Republicans to begin to develop their own plan.

Stark requested a GAO study (received Sept. 21, 1999) showing how extensively HMOs are reducing their optional Rx benefits for Medicare enrollees, thus making the case that an Rx benefit should be added to the core Medicare package so that all beneficiaries are covered, all the time.

In order to bring Medicare prescription drug legislation to the House floor, Rep. Stark took the lead in filing a discharge petition on H.R. 1495, to 'discharge' the Ways and Means Committee from bottling the bill up, and thus allow a full vote in the House of Representatives.

Rep. Stark worked with Members of Congress, senior advocacy and labor groups, the Administration and others to consider and draft Democratic alternatives for Medicare prescription drug coverage -- ultimately leading to introduction of H.R. 4770, the Medicare Guaranteed and Defined Rx Benefit and Health Provider Relief Act of 2000, with 115 cosponsors.

HR 4770, endorsed by the President, the Vice President and major senior groups, provided a drug benefit in Medicare that would have offered voluntary insurance to all seniors and disabled, and provided catastrophic, out-of-pocket protection.

This bill was offered by Mr. Stark as the Democratic 'motion to recommit' i.e., the substitute motion to the Republican private medigap drug plan. The bill fit in the allowed budget of \$40 billion over 5 years, and \$295 billion over ten years' providing twice as much relief and protection as the Republican bill. It failed by a vote of 204 to 222.

While the 106th Congress adjourned without passing legislation creating a Medicare prescription drug benefit, it is sure to be a major issue in the new session of Congress.

Fighting Excessive Drug Prices

Letter from the Medicare Administrator to Rep. Stark, May 31, 2000:

"Thank you for the leadership role you have been taking in addressing the need to ensure that both Medicare and Medicaid pay appropriately for prescription drugs"

In March, 1998, Rep. Stark and Marion Berry (D., Ark) filed a complaint with the Federal Trade Commission against Mylan Laboratories and three others, charging anti-competitive behavior that was driving up some generic drug costs by 4093 percent! On July 13, 2000, the FTC imposed a \$137 million fine on Mylan. Since the Congressmen's complaint, prices of the drugs have come down. Stark believes that the FTC's settlement should be reviewed to ensure even further lowering of drug costs.

Study of Rx Prices in 13th District: Rep. Stark requested and received two studies by the minority staff of the House Government Reform Committee. The first study reveals the amount seniors with no prescription drug coverage (i.e., those paying cash for prescription drugs) pay for their medications in the 13th District compared to the prices paid by large U.S. insurers. A separate Government Reform study prepared for Rep. Stark compares the prices paid by seniors with no drug coverage to what consumers pay in Canada and Mexico. On average, the studies found that 13th District seniors without drug insurance pay about twice as much. By passing Rep. Stark's Medicare prescription drug benefit, this unfair pricing system would be eliminated.

Stark released a Joint Economic Committee report on Feb. 9, 2000 on Rx inflation, which is running at 15.4% annually compared to general health inflation of 5.6%.

Stopping Rx Average Wholesale Price abuse: See Stark's initiatives under fighting Medicare fraud, which if enacted -- will result in billions in savings over the next few years.

Pharmaceutical Advertising: Since a major source of the increase in drug costs has been the explosion in advertising expenses, Rep. Stark introduced the Fair Balance Prescription Drug Advertisement Act of 2000 (H.R. 4686) to deny tax deductions for unbalanced prescription drug advertising that places more emphasis on product benefits than risks or fails to meet FDA advertising standards. This issue is likely to receive a great deal of attention in the 107th Congress.

Taxpayer-funded R&D: One way to help the public deal with the high cost of drugs is to ensure that the public's investment in drug development is returned, either in lower prices or by the public receiving a share of the profits. Eleven of the 14 drugs identified as the most medically significant over the last 25 years were developed with taxpayer dollars, yet drug companies continue to use the 'R&D argument' as their excuse to charge Americans the highest prices in the world. As a result, Rep. Stark collaborated with Rep. Capuano (D-MA) to introduce the Public Investment Recovery Act of 2000 (H.R. 4705). This bill calculates the proportion of taxpayer-financed R&D that led to the production and sale of a product and uses a portion of these profits to finance a Medicare drug benefit and support further R&D.

Pharmaceutical Gifts vs. R&D: Because drug companies spend more than \$11 billion per year on marketing and promoting their products directly to physicians -- i.e., an estimated total of \$8,000 to \$13,000 per physician -- Rep. Stark introduced the Save Money for Prescription Drug Research Act of 2000 (H.R. 4089). This bill denies tax deductions for certain gifts and benefits (other than drug samples) provided to physicians by pharmaceutical manufacturers. The intent of the bill is to either lower the cost of drugs caused by this lobbying, or to encourage the companies to spend more on R&D and less on marketing. Rep. Stark also submitted for the Congressional Record many examples of unsolicited drug company "freebies" that a Florida physician received in just one week -- freebies that graphically demonstrate how much money drug manufacturers waste in promoting products, rather than increasing R&D or lowering drug prices.

Pharmaceutical Taxation and Pricing: According to a December 17, 1999, Library of Congress report requested by Stark, the U.S. drug industry reaps tax benefits that lowered their effective tax rates by nearly 40% relative to other major U.S. industries, yet U.S. drug companies charge the highest prices in the world. In response, Rep. Stark introduced the Prescription Price Equity Act (H.R. 3665) -- a bill to ensure that drug companies charging more for products in the U.S. than they charge in other industrialized nations would forfeit their eligibility for certain U.S. tax subsidies. Stark's amendment to deny tax breaks for the export of US-made drugs at lower prices to developed nations was defeated in the Ways and Means Committee on July 27, 2000. (Stark also wrote the Treasury Department on May 2, 2000 urging the Administration not include Rx export subsidies in their tax proposals.)

Improving Medicare

July 19, 2000 letter from Medicare Administrator to Stark:

"As always, I greatly appreciate your interest in, and support of, HCFA's programs. Your dedication to improving program administration and the enhanced delivery of services to our beneficiaries has been very helpful."

Stopping the privatization of Medicare: Stark helped organize efforts to defeat the Breaux-Thomas "Premium Support" scheme, which would use higher premiums on beneficiaries in traditional, fee-for-service Medicare to force them into lower-cost, lower-quality, no-extra-benefits HMOs. An extensive series of letters to his colleagues, speeches, editorials, and questions at hearings appears to have caused this scheme to privatize Medicare to lose popularity.

Proposing comprehensive Medicare reforms: In order to beat the Breaux-Thomas Premium Support scheme, Stark developed a series of 11 bills in the spring of 1999 to reform and modernize Medicare. These bills will improve the way Medicare pays for care, encourages better quality of care by providers, and greatly expands Medicare's preventive care

benefits. Many of these ideas were adopted in the President's June 29, 1999 proposal to reform and extend the life of Medicare. Stark's work showed that Medicare can be saved for future generations, without resorting to the type of privatization pushed by the Premium Support scheme. Stark also worked to successfully encourage the Clinton Administration to dedicate a portion of the new budget surpluses to Medicare, so as to help pay down the public debt and make it easier to fund Medicare when the Baby Boomers retire.

Fair and Adequate Payment to Medicare Providers: Stark has been a leader in ensuring that payments to Medicare providers are fair --to the providers and to the taxpayers and beneficiaries.

He requested and received major GAO reports showing that some home health agencies have excessive administrative costs and that payments could be cut to many agencies without harming beneficiaries (Oct. 14, 1999).

Stark's GAO report on whether Medicare pays hospitals more or less than private HMOs shows that Medicare payments are often higher, and thus raises questions as to how much more Medicare needs to pay hospitals (July 25, 2000). Stark has also received several reports from GAO and OIG documenting that Medicare is overpaying most HMOs and that additional taxpayer subsidies are not justified.

Balanced Budget Refinement Act of 1999: In November, 1999, Congress enacted a bill making \$16 billion over 5 years in additional payments to Medicare, to adjust for problems created by the 1997 Balanced Budget Act. Stark successfully offered amendments to that bill which

- protect beneficiaries from having to pay more than the first-day hospital deductible for any one Hospital Outpatient Department (HOPD) procedure. This will protect beneficiaries against hundreds of millions of dollars in extra charges over the coming years.

- make it easier for Alameda County to conduct a money-saving demonstration of how to pay for ambulance services.

- help ensure that certain Pacific region nursing homes with high costs are fairly paid under Medicare.

- helped obtain an extension of the time that Medicare will pay for expensive immuno-suppressive drugs for people who have received transplants (keeps the new organs from being rejected by the body).

- helped get a 2-year extension of the Municipal Health Services Program (which helps low income seniors in 4 cities, including San Jose, get extra preventive care type services).

Stark authored and offered the Democratic substitute to the Republican BBRA bill, which, by closing a series of loopholes and overpayment abuses, would have provided \$2.3 billion in additional help to the hardest-pressed providers (safety-net hospitals). This substitute would also have lowered drug costs to seniors by as much as 40% by ensuring that they could get the best available price, provided more immuno-suppressive drug coverage, and helped low income women pay for the cost of cancer treatments.

Stark helped organize a letter to the Speaker from 146 Democratic Members in support of this amendment, but Republicans refused to allow any amendments, thus blocking efforts to help seniors with drug costs and to improve the Medicare program (see Congressional Record of Nov. 5, 1999).

The Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act of 2000 (BIPA): In December 2000, Congress enacted -- as part of an omnibus end-of-the-year package of unfinished appropriations bills -- legislation providing billions of dollars in increased payments to Medicare providers and other reforms to Medicare, Medicaid and SCHIP.

Stark opposed the legislation, which was not subject to amendment, because it of its misguided priorities. Approximately one-third of the bill's spending goes to the HMO industry through increased Medicare reimbursement without any real accountability provisions that would ensure added stability in the Medicare+Choice program for beneficiaries. As the bill moved through the legislative process, several important Medicaid provisions that had been adopted in the Commerce Committee version of the bill were dropped.

There were some positive provisions included in the final bill through efforts by Stark, including:

- Acceleration of the reduction in Medicare beneficiary copayments in the hospital outpatient setting so that beneficiaries will not be charged more than 40% by 2006.

• Removal of the existing time limit on Medicare coverage of prescription drugs that help prevent rejection of transplants. These drugs will now be covered permanently.

• Expansion of preventive benefits to include nutrition therapy, glaucoma screening, expansion of the colon cancer screening benefit, and improvements in the cervical cancer benefit.

• For persons with Lou Gehrig's disease (ALS), the waiving of the two-year waiting period for Medicare eligibility which will enable them to get health services immediately.

• Expansion of the Medicare homebound definition to include the ability for beneficiaries to receive therapeutic adult day care services and still qualify for home health benefits. This is an especially important change for Alzheimer's patients.

• Posting of nurse staffing ratios in skilled nursing facilities that will allow families to know the level of care being provided in these facilities for their loved ones. (Unfortunately, the final bill delays enactment of this provision until 2003).

• Ability for states to use a simplified, uniform application form to assist low-income beneficiaries enrollment in the QMB program which provides financial assistance through Medicaid for Medicare beneficiaries with low-incomes.

• Improved Medicare appeals were included in the final package based in part on legislation authored by Stark (see Ways and Means Committee testimony of April 22, 1999). However, further needed refinements to the appeals section of the bill were rejected by the majority so the final product is not as complete as Stark wanted.

• Stark helped develop the amendment by Rep. Lewis to improve quality of care of all Americans regardless of race,

gender, or ethnicity. Currently, there are large, unexplained differences in the application of best medical practices between various racial and other groups in our society. The amendment will require Medicare+Choice plans to pay attention to these disparities in treatment and try to reduce them. It also provides for a Medicare demonstration program to reduce such disparities in the treatment of cancer.

• Thomas and Stark continued their efforts to help California's retired teachers who face huge out-of-pocket costs when "buying-into" Medicare Part A. the new bill provides a waiver of late penalties in the case of a State (such as California) which enacts a program to help retired public employees meet the cost of buying into Medicare after age 65.

The final bill did include some -- though not all -- Medicaid and SCHIP improvements including: a one-year extension of the welfare to work provision allowing people to keep their Medicaid coverage when first entering the workforce and broader enrollment opportunities for the SCHIP program through schools and other community sites.

Quality of Care in the Kidney Program: Stark submitted several staff studies to Medicare demonstrating uneven quality of care in the End Stage Renal Disease program and requesting more attention to the monitoring of certain dialysis facilities which might be providing inadequate or deadly care (see letters of March 13 and May 15, 2000). Stark submitted testimony on the issue to Senate Aging Committee on June 26, 2000, and BIPA, as passed by Congress, includes new ESRD quality language.

Ensuring an adequate administrative budget: In 1999 and 2000 Stark organized support for improvements in the appropriations for Medicare's administrative budget and testified before the HHS Appropriations Subcommittee. While the Majority party has consistently cut Medicare administrative budget requests, Stark's efforts have highlighted the problems created by such cuts (e.g., less inspection of nursing home quality) and has helped get many of the cuts restored.

Medicare Anti-fraud efforts

Stark continued to lead in encouraging stronger anti-fraud efforts to protect Medicare and save taxpayer dollars.

--Stark helped to initiate the major government investigation of the Columbia/HCA hospital chain, which led to the

reorganization of the company, the replacement of its senior officers, and the payment of a \$745 million fine on May 18, 2000. On December 14, 2000, the Department of Justice announced a settlement of many of the criminal charges in the case, resulting in \$95.3 million in additional payments, for a total of \$840 million -- the largest health fraud settlement in history. In addition, the settlement includes allegations that KPMG, one of the nation's largest accounting firms, participated in some of the Columbia-HCA schemes.

--Stark continued to call attention to the gross inaccuracies in the published "Average Wholesale Prices"(AWP) for prescription drugs, on which Medicaid and Medicare (and much of the private sector) reimbursement is based. Stark has worked with a pharmacist "whistleblower" since 1993 to ensure that investigations in this area were undertaken and pursued. In March 2000, the Department of Justice and Medicaid (but not Medicare) moved to require more accurate AWP's as the basis for payment, and proceeded to investigate a number of major drug manufacturers for the use of false pricing data. Stark wrote to HCFA, White House, etc., on April 6th to ensure that the cost savings the Justice Department was obtaining in Medicaid would also apply to Medicare. The results will eventually save Medicare about \$1 billion per year and will probably result in billions of dollars worth of fines and penalties against the world's leading drug manufacturers for various forms of price fixing and misleading price information.

However, passage of the BIPA legislation (discussed earlier) delays necessary action by HHS to reduce Medicare reimbursement for any covered drugs by at least 9 months while the GAO conducts a drug pricing study. Stark and other members of Congress wrote Speaker Hastert requesting the removal of this provision. At the last minute, the bill language was made even worse by permitting Medicare to increase these already inflated drug payments, while still prohibiting any necessary price decreases. By allowing drug companies and providers -- who already profit from huge mark-ups on drugs -- to continue to overcharge patients and taxpayers, taxpayers are providing an estimate \$200 million gift to the nation's drug manufacturers -- the most profitable industry in the U.S.

--Stark referred to the HHS Inspector General data on a chain offering doctors nationwide excessive "rental" payments for the placement of a therapist in the doctors' offices. The scheme was clearly designed to increase utilization unnecessarily and drive up Medicare costs. The OIG investigation basically stopped the scheme, and Medicare (HCFA) wrote on Oct. 27, 1999 promising to step up action against this abuse.

Stark has worked with the General Accounting Office and HCFA to close security loopholes in Medicare's computer systems (letter of April 7, 2000 to GAO and Appropriations Committee) and has initiated a major GAO study to help improve and modernize Medicare's computers and information technology systems -- a key to reducing waste and fraud (letter to Appropriations Committee of July 28, 1999).

Medicare Solvency

Stark was a leader in opposing Republican efforts to destabilize the Medicare Trust Fund by repealing a tax paid only by the one-fifth of upper income seniors that is dedicated to Medicare. Stark offered an amendment July 19, 2000 (rejected) to the Republican bill which would have helped all seniors by providing a \$250 tax credit to everyone on Medicare, rather than just a tax break to the top 20%. Loss of the dedicated tax will cost Medicare \$13.7 trillion over the next 75 years in dependable, reliable financing.

Improving Health Care for All Americans

Stark continued his efforts to reduce the number of Americans without health insurance and to expand the number with coverage:

MediKids: Led in introducing with Senator Rockefeller on May 4, 2000, a major new children's health insurance initiative, MediKids. This bill would ensure that every child born after January 1, 2002 would be enrolled in a Medicare type of program unless they had other, comparable or better insurance. The bill would gradually ensure that all American children could receive and pay for quality health care. The American Academy of Pediatricians and many other children's support groups are endorsing and promoting the bill.

Medicare Buy-in: Stark was the original author of the idea of letting uninsured older adults "buy into" Medicare in a revenue neutral way (i.e., so that the Trust Fund for post-65 individuals is not hurt). The President has adopted this proposal and urged Congress to enact it for the past three years. Stark has been the lead sponsor on the proposal, and on July 24, 2000 introduced the latest version which provides a tax credit to help people with the expense of buying-in. The bill is expected to help 1.5 million people 55-64 years of age, including half a million uninsured.

New Ways of Helping the Uninsured: Tax Credits v. Tax Deductions? Stark has been a leader in the growing debate on whether tax credits and tax deductions could be used to reduce the number of uninsured. In an unusual joint op/ed in the Washington Post of June 15, Stark wrote with Majority Leader Dick Armey (R-Texas) that it was worth seeing if the two parties could agree on using the tax code to reduce the number of uninsured. Stark has introduced a major refundable tax credit bill (H.R. 2185), which allows the uninsured to pick a group rate-priced insurance plan (similar to the way that Federal employees can pick a health plan each year).

Stark requested and received two GAO reports (Oct. 4, 1999 and April 27, 2000) documenting how tax deductions will not help the uninsured, because the overwhelming majority (about 93%) of the uninsured either pay no taxes or are in the 15% tax bracket. Reports are being used to resist Republican efforts to just give tax deductions as a 'solution' to the uninsured problem.

Stark staff surveyed 120 health insurance policies on the Internet and reported (Congressional Record March 8, 2000 and December 14, 2000) that unless there is reform in the private insurance market, proposals to give the uninsured refundable tax credits to buy insurance won't work, largely because insurance prices rise sharply as one ages while the credits do not vary by age.

In addition to these proposals, Stark is working on a bill to provide health insurance coverage for all Americans by 2006.

Long Term Care

Rep. Stark has been a leader in trying to improve access to long term care services and to improve the quality of care in our nation's nursing homes, and assisted living facilities.

He has introduced with Rep. Markey (D., MA) a major long term care improvement bill (HR 2691), is the author of the Adult Care Services bill (HR 745) as a new benefit in Medicare, has sponsored the President's proposals for tax credits for caregivers (HR 2458) while making sure the credit is refundable, and introduced legislation (HR 2627) to make sure that LTC caregivers are screened for violent and criminal behavior.

Stark requested with others a GAO report (Sept. 30, 1999) which detailed problems in the certification and inspection of nursing homes. This report has helped lead to the renewed attention to nursing home quality standards. He submitted testimony to the Senate Aging Committee (Nov. 3, 1999) on the need for improved staffing in Skilled Nursing Facilities (SNFs). Stark also organized the San Francisco Bay Area Congressional Delegation to request an investigation of quality in area nursing homes. The report, released June 8, 2000, found that only 6% of homes were in full compliance. Stark led in introducing legislation to help improve quality and give patients and their families more information on staffing ratios at SNFs (HR 4614).

President Clinton praised Stark for his exemplary leadership in the effort to improve nursing home quality when the President announced a \$1 billion initiative in nursing home quality on September 16, 2000. The President's initiative incorporates much of Stark's work.

Near the end of the 106th Congress, Stark and Waxman joined together to introduce another nursing home inspection bill (HR 5646, The Nursing Facility Staffing Improvement Act). The impetus for this bill was a study conducted in Stark's Congressional district by the House Government Reform Committee on staffing levels in the 13th Congressional district. It showed that 86%, or 25 facilities, did not meet HHS' preferred minimum staffing level of 3.45 hours per day, while 55% did not meet the lower minimum level of 2.95 hours of nursing care. Another important finding was that none of the facilities that met the preferred minimum staffing levels were cited for violations causing actual harm, while 68% of the facilities that failed to meet the minimum standard were cited for such violations.

This study emphasizes what we already know: staffing ratios matter. This legislation revises the inspection process to take into account staffing levels and to ensure that revisions of staffing plans are a required and enforced component of the inspection system.

Stark will renew these efforts in the new Congress. Sen. Grassley is the new Chairman of the Senate Finance Committee and he and Stark have worked closely on these issues in the past which should contribute to making these issues more prominent in the new Congress.

Quality of Care in Assisted Living Facilities

Stark has also introduced a resolution that calls for a White House conference to study quality of care in assisted living facilities and make recommendations about this issue. Stark wants to ensure that seniors are safe and secure in whatever long-term care home they choose.

Care for Chronic Illnesses

Stark introduced the Chronic Illness Care Improvement Act of 2000 to improve health care to Americans with serious and disabling chronic illnesses, including diabetes, Alzheimer's disease, heart disease, asthma, arthritis, hypertension and Parkinson's disease. While chronic disease is America's number one healthcare problem, care for chronic illness is provided by a fragmented healthcare system that was designed for acute episodes of illness where we respond to crises, rather than prevent them. This bill lays out a comprehensive blueprint to streamline, coordinate and integrate chronic illness care. Serious and potentially disabling chronic illnesses require a totally different group of services, including long-

range planning, prevention, interdisciplinary care, routine monitoring, education, counseling and training for self-management. These are the key components of the comprehensive disease management programs for chronic illness that will be established under this bill.

Organ Donation & Allocation

Rep. Stark received a Transplantation Public Policy Leadership Award from the American Society of Transplantation for his consistent support and leadership in promoting organ donation.

Recognizing the shortage of available organs in this country, Stark introduced H.R. 941, the Gift of Life Congressional Medal Act, to provide a Congressional Medal of Honor for organ donors and their families. The enactment of this legislation, which doesn't cost taxpayers a penny, will not only honor the individual organ donor and their loved ones, but will also heighten the awareness of the current organ shortage and increase organ donation. H.R. 941 has 58 bipartisan cosponsors and the endorsement of most major patient care and organ advocacy groups.

Stark has consistently led an effort in support of the Department of Health and Human Services' (HHS) regulations governing U.S. organ allocation policy. The HHS organ allocation regulations establish a more fair and equitable allocation system to ensure the neediest and sickest patients have priority on organ transplant lists regardless of where they live in the U.S. Stark played an instrumental role in ensuring the implementation of this regulation in March 2000, after it had been delayed by Congress. The HHS organ transplant rules will significantly cut waiting period for transplants in Northern California.

Stark has also been a leader in the fight against a bill (H.R. 2418) pushed by the smaller organ transplant centers that would prevent the best use of organs for sick patients, regardless of geographic boundaries.

Stark requested and received information from the HHS Inspector General that the current organ allocation contractor (which opposes the reforms) has been overcharging the public for various expenses.

In response to reports that patients are being put at the risk of severe health problems because they cannot access donated tissues, Stark wrote a letter to the Department of Health & Human Services Secretary Shalala.

Stark supports the DHHS investigations on the issue and will fight for any legislative changes needed to ensure that America has a tissue donation system that is ethical, honest, and distributes tissues to those most in need.

Immunosuppressive drug coverage--Rep. Stark has consistently supported eliminating Medicare's current restriction on immunosuppressive drug coverage. The provision to permanently remove Medicare's coverage limitation on immunosuppressive drugs was finally incorporated into the BIPA legislation (see above) enacted in December 2000.

Limiting Restraints on and Seclusion of Medicare Beneficiaries

Stark collaborated with Rep. DeGette (D-CO) on a bill to reduce the use of restraints and seclusion -- the Patient Freedom from Restraint Act (H.R. 1313). HHS recently issued regulations to ensure the proper use of restraints and seclusion in inpatient settings; Mr. Stark has consistently supported the Department's regulation -- including the controversial requirement that a licensed practitioner must evaluate a patient within one-hour of being placed in restraints. The Joint Commission on Accreditation of Healthcare Organization -- an entity that HHS relies upon to accredit hospitals nationwide -- recently agreed to revise its restraint standards to include the important one-hour patient evaluation requirement.

Stark also requested that the GAO review the Department's restraint regulations. In response, the GAO recommended that Congress consider extending the existing regulations to all other Medicare- and Medicaid-funded facilities (e.g., residential treatment facilities), and Stark is working to get these recommendations adopted.

The President signed into law HR 4365, the Children' Health Act of 2000 - which includes reauthorization of the Substance Abuse and Mental Health Services Administration (SAMHSA). It incorporates Stark's patient protections limiting the use of restraints and seclusion in all federally funded facilities. As a result, patients will be protected from harmful use of restraints and involuntary seclusion imposed for purposes of discipline and convenience. Additionally, this legislation contains strong reporting requirements when restraints and seclusion are used.

Parity for Mental Health Care and Substance Abuse

The December 1999 Surgeon General's report on Mental Illness found that one in five Americans experiences a mental disorder over the course of one year and the mental health field is plagued by disparities in the availability of and access to services. Recognizing that coverage of mental health and substance abuse services are still not on par with physical illness treatments for consumers in many health plans, Stark introduced the Mental Health Parity Act (H.R. 2593). This bill establishes a level of equality between mental and physical health care for enrollees in both private health plans and Medicare. The legislation ensures that employers providing health insurance must provide equivalent access to physical and mental health treatment services. The legislation would also redistribute Medicare mental health funding to pay for more community-based mental health treatment without increasing spending -- the manner in which most mental health treatment is provided today.

Health Worker and Patient Safety

Stark has been the leader in encouraging the nation's hospitals and States to adopt "safe needle" programs that will prevent unnecessary and potentially deadly accidental needlesticks. His legislation from the 105th Congress helped inspire California's safe needle law.

In the 106th Congress, he introduced HR 1899 , the Health Care Worker Needlestick Prevention Act. The bill garnered the bipartisan support of more than 185 members of Congress and companion legislation was introduced in the Senate by fellow Californian Sen. Barbara Boxer.

In June 2000, the Education and Workforce Worker Protection Subcommittee held a hearing on needlestick injuries in the health care workforce. Rep. Stark presented written testimony at the hearing.

His legislation ,HR 1899, then became the basis for modified legislation introduced by Rep. Cass Ballenger (R-NC) and Major Owens (D-NY) -- the Chairman and Ranking Democrat for the Worker Protection Subcommittee. This bill, HR 5178, was cosponsored by Rep. Stark. The bill was very similar, but was drafted differently in order to enable them to bring it to the House floor for a vote this year. Unfortunately, the redrafting left health care workers in public hospitals in many states outside of the new proposed protections.

HR 5178 passed the House by voice vote on October 3, 2000. On that same day, Rep. Stark worked in the Ways and

Means Health Subcommittee to win passage of a complimentary amendment that would assure that public hospitals were covered through Medicare with the equivalent protections of the Ballenger legislation. That amendment was accepted to the Medicare Refinement and Benefit Improvement Act of 2000 as it came out of the Ways and Means Committee, but was not included in the final bill that passed Congress in December 2000.

Enactment of HR 5178 means that health care workers in private facilities will be protected through federal law from the dangers of unsafe needles. It will literally save lives. In the new Congress, Stark will work with a bipartisan group of colleagues to make sure that these same protections apply to health care workers in public institutions as well.

Help for the Disabled to Return to Work

Stark worked extensively with advocacy groups and other Members to find ways to "pay for" an extension of the time that Medicare will cover disabled persons who return to work (see Congressional Record speech of Sept. 15, and Nov. 18, 1999).

Stark supports making the Medicare coverage provision permanent as a way to encourage the disabled to return to the workplace without fear of losing health coverage and will introduce such legislation in the 107th Congress.

Social Security (top)

Stark advocated on behalf of seniors and their dependents, as well as the disabled. Stark pushed for full funding of both the Social Security and Medicare trust funds, and opposed privatization efforts that would weaken the current system.

Social Security Solvency

Stark introduced H.R. 2034, the Social Security Financial Solvency Act of 1999 and testified on the bill before the Ways & Means Committee in June 1999. The bill restores actuarial balance of the Social Security Trust Fund by transferring an amount equal to 2.07 percent of taxable payroll from general revenues to the Trust Fund. The bill makes a general revenue transfer much like the GOP plan does. However, instead of giving away billions of dollars to Wall Street brokers, the plan keeps the money in the Social Security Trust Funds for retirees. The Republican controlled Congress did not schedule any House votes on Social Security solvency.

In addition to authoring his own bill to restore Social Security solvency, Stark cosponsored key bills to enhance the privacy of Social Security numbers and to repeal the earnings test.

Privacy and Social Security

Stark cosponsored H.R.4857 which prohibits states from using Social Security numbers on driver's licenses, motor vehicle registrations and similar records. The legislation prohibits federal, state and local governments from selling lists of people's names and their Social Security numbers. It prohibits the use of Social Security numbers on checks issued by government agencies. The bill also prohibits any private person from buying or selling a Social Security number. It also prohibits a business from refusing to deal with a consumer unless the person reveals his or her Social Security number. The Ways and Means Committee passed this bill by voice vote in September 2000 but the Senate failed to act on the bill.

Repeal of the Earnings Limit

Stark cosponsored H.R. 5, the Senior Citizens' Freedom to Work Act of 2000. This bill became law in 2000 and repealed the earnings limit imposed on Social Security beneficiaries who are aged 65-69. As a result of the bill, these beneficiaries are free to earn as much income as they desire without a deduction of their Social Security benefits.

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Education and Child Care (top)

Stark worked to increase access to healthcare and quality child care for all children, and to make our schools safer. Unfortunately, the 106th Congress failed to make significant improvements for our children.

Childcare

GAO Study on Quality of Child Care Centers

Stark commissioned the General Accounting Office to study the quality of child care in the United States. The study found that many states, including California, had child care centers that were low quality. Stark used this report to support the need to pass Child Care Quality Improvement Act of 1999 (H.R. 2175).

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Child Care Quality Improvement Act

Stark introduced H.R. 2175, Child Care Quality Improvement Act. The legislation would provide incentive grants to states to improve their child care quality standards and oversight. The grants would encourage states to improve the quality of child care by increasing training for child care providers, enhancing licensing standards (including health and safety, adult-to-child ratios, and group size), and reducing the number of unlicensed providers. The Children's Defense Fund, Child Welfare League of America and the American Red Cross endorsed this bill. Congress failed to pass this bill.

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Making Child Care Affordable for Working Families

Stark cosponsored HR 1139, Affordable Child Care, Education, Security, and Safety Act. The bill would increase appropriations for the child care subsidy under the Temporary Assistance for Needy Families (TANF) block grant. The legislation would increase the dependent care tax credit and provides an equivalent benefit where one parent stays at home to provide child care for a child under age one. The bill would allow a business-related tax credit for employer expenses for employer-provided child care assistance. The bill also would provide scholarship funding for child care workers. Congress failed to pass this bill.

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Disclosing Environmental Hazards for Children

Stark cosponsored H.R.1657 a bill to disclose environmental risks to children's health and expand the public's right to know about toxic chemical use and release, and for other purposes. This bill was referred to the committee on Commerce but no further action taken.

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Education

Stark voted for H.R. 2, the "Student Results Act of 1999." The bill extends and revises the Education for the Disadvantaged program. Among other provisions, the bill would hold schools accountable for boosting the performance of all students and for closing the gap between minorities and among poor students and their peers. It also would require schools to set higher standards for new teachers, to ensure that they are competent in the subjects they teach, and to help train current teachers to meet these new standards by the year 2004. The bill would require schools to send detailed report cards to parents and the public on student achievement and teacher qualifications. To provide incentives to teachers, the act would authorize states to reserve 30 percent of future increases (over the preceding fiscal year) of their Title I grants for performance bonuses to especially effective Title I schools and teachers. The Senate failed to act on this bill.

Stark voted for H.R. 4055, IDEA Full Funding Act of 2000. This bill authorizes funding to reach the Federal Government's goal of providing 40 percent of the national average per pupil expenditure to fully fund the state improvement grants for children with disabilities portion of this program. The bill passed the House of Representatives 421-3. The Senate failed to act on this bill.

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Increased Education Funds for the Disabled

Stark wrote a letter with other Members of Congress to President Clinton asking for full funding for Individuals with Disabilities Education Act. The federal government had promised to fund the program at 40 percent, however it currently funds it at about 12 percent. President Clinton responded that he was supportive of more education funding for Individuals with Disabilities.

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Increased Education Funds for California

Stark and other California Members of Congress wrote Secretary of Education Richard Riley requesting that his department change the education funding formula so that California gets its fair share of funding. Currently, in a high population growth state such as California, our school children getting disproportionately less funding than children in states that have low population growth.

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Making Safer School Buses

Stark cosponsored H.R. 165 to prohibit the manufacture, sale, delivery, or importation of school buses that are not equipped with seat belts.

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Helping Teachers Enhance Technology Skills

Stark cosponsored H.R. 455, Teacher Technology Training Act to authorize the Secretary of Education to award grants to certain local educational agencies to provide classroom-related computer training to teachers.

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Increasing Federal Support for Gifted and Talented Children

Stark cosponsored H.R. 637, Gifted and Talented Students Education Act of 1999. The bill authorizes the Secretary of Education to make grants to States for use by public schools to develop or expand gifted and talented education programs.

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Supporting School Modernization Efforts

Stark cosponsored H.R. 1660, Public School Modernization Act of 1999. This bill would provide \$24.8 billion in interest free funds to state and local governments to finance public school construction and modernization projects. This

legislation is essential to meet the growing need for school construction caused by the growth in school enrollment and decaying infrastructure. In 1996, the General Accounting Office estimated that the national need for repairs and renovation of existing schools would exceed \$112 billion nationwide.

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Tax Benefit for Scholarship

Stark cosponsored H.R. 2265, which would allow parents to exclude from their income tax scholarships given by their employers for their children. See also TAX.

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Funding Mental Health Workers for Schools

Stark cosponsored H.R. 2567 which assist states and local educational agencies to hire and train 141,000 additional school-based counselors to reduce the student-to-counselor ratios nationally.

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Increased Funding for Children with Disabilities

Stark cosponsored H.R. 4055, IDEA Full Funding Act of 2000. This bill authorizes funding to reach the Federal Government's goal of providing 40 percent of the national average per pupil expenditure to fully fund the state improvement grants for children with disabilities portion of this program. (See EDUCATION Key Votes)

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Federal Support for School Construction and Modernization

Stark cosponsored H.R. 4094, "America's Better Classroom Act of 2000." This bill provides \$25 billion in interest-free funds to state and local governments to finance public school construction and modernization projects.

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Scholarships for Computer Training

Stark cosponsored H.R. 4176, "Information Technology Act of 2000." This bill authorizes grants to subsidize the cost of information technology training programs for minorities, women, older individuals, veterans, Native Americans, dislocated workers and former program participants who have not received teaching certification in information technology.

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Stark supported efforts to clean our air and water, reduce toxic emissions by cars and industrial plants, conserve wildlife, wilderness areas and forests. Since the Republican leadership did not make environmental protection a key legislative priority, they did not schedule many of these environment bills for a floor vote.

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Land and Water Conservation

Stark cosponsored HR 701, The Community and Reinvestment Act provides full and permanent funding of the Land and Water Conservation Fund (LWCF). In addition, CARA would provide new funds for wildlife conservation, historic preservation, and urban parks and recreation. This bill passed the House of Representatives in May 2000 but the Senate failed to act on the bill.

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Global Warming

Stark cosponsored HR 2980 & HR 2900. HR 2980 would provide an economic incentive to power plant owners to upgrade or eliminate old, dirty power plants to foster cleaner air and increase efficiency. Stark also cosponsored HR 2900, a bill to modernize old power plants that were exempted from the Clean Air Act. Power plants 30 years or older would be required to meet the same standards as new plants within 5 years. Congress failed to act on these bills.

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Wilderness Protection

Stark cosponsored HR 1239, the Morris K. Udall Wilderness Act of 1997, which would designate specified lands in Alaska as wilderness, and as components of the National Wilderness Preservation System.

Stark also cosponsored HR488, a bill to designate as wilderness certain public lands in the States of Idaho, Montana, Oregon, Washington, and Wyoming.

Congress failed to act on both of these bills.

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Forest Protection

Stark cosponsored HR 1396, a bill to reduce the deficit, cut corporate welfare, and protect and restore America's natural heritage by eliminating the ecologically destructive commercial logging program on Federal public lands. This bill would also assist the economic recovery and diversification of communities that depend on the Federal logging program. Congress failed to act on this bill.

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Environmental Protection

Stark cosponsored HR 525, a bill to provide for the defense of the environment. This bill would keep anti-environmental riders out of must-pass legislation. The resolution has created some pressure to reduce the number of environmental

riders in appropriations bills.

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Environmental Hazards for Children

Stark cosponsored H.R.1657 a bill to disclose environmental risks to children's health and expand the public's right to know about toxic chemical use and release, and for other purposes. Congress failed to act on this bill.

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Superfund

Stark cosponsored HR 1750, which would reauthorize and expand the Superfund program to clean up toxic and polluted sites. Congress failed to act on this bill.

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Clean Water

Stark cosponsored H.R.1549, a bill to amend the Federal Water Pollution Control Act to establish a National Clean Water Trust Fund and to authorize the Administrator of the Environmental Protection Agency to use amounts in that Fund to carry out projects to restore and recover waters of the United States from damages resulting from violations of that Act. Congress failed to act on this bill.

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Food Safety

Stark cosponsored HR 3377, a bill to require that food that contains a genetically engineered material, or that is produced with a genetically engineered material, be labeled accordingly. Congress failed to act on this bill.

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National Parks

Along with several members of the California delegation, asked President Clinton to establish a Giant Sequoia National Monument. President Clinton responded with a proclamation declaring a Giant Sequoia National Monument of just over 327,000 acres. This will ensure that the Giant Sequoias will be protected for future generations to enjoy.

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Anti-Environmental Riders

Stark worked with the Democratic Leadership and environmental advocates to urge the President to veto any bills that threaten basic environmental protections. The President responded with vetoes in 1999, and pledged again in 2000 to veto spending bills with anti-environmental riders.

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Earth Day 2000

Stark endorsed the Earth Day 2000 Clean Energy Agenda. By endorsing this agenda, Stark promised to work towards increasing the use of clean energy and reduce the reliance on non-renewable and dirty energy sources. This energy agenda also included closing loopholes that allow old coal-fired power plants to pollute more than newer power plants.

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Air Quality

Stark wrote President Clinton asking him to apply Corporate Average Fuel Economy Standards (CAFE) to sports utility vehicles and light trucks. Under CAFE standards, the average fuel economy of all vehicles of a given class that a manufacturer sells in a model year must be equal to or greater than the standard. However, this year's Transportation Appropriations bill included a provision preventing the Administration from even examining the need to increase CAFE standards. Stark voted against this bill in protest of the anti-environmental rider.

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San Francisco Bay

Stark wrote the Environmental Protection Agency asking them not to weaken limits on Dioxin discharges into San Francisco Bay. Stark also wrote Governor Davis last year asking him to eliminate dioxin discharges from the Bay. Dioxin is a highly toxic chemical that is discharged into the Bay from an oil refinery in Martinez.

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Combustion Waste

Stark wrote Vice President Gore and the EPA asking that solid waste from coal and oil-fired power plants be regulated under the Resource Conservation and Recovery Act. This solid waste, which includes mercury and arsenic, is not subject to federal regulation. This toxic material has been found in groundwater supplies. EPA Administrator Browner announced new mercury regulations on December 14, 2000 by authority of the Clean Air Act.

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Off-Road Vehicles

Stark wrote US Forest Service Chief Michael Dombeck asking him to more strongly regulate off-road vehicle use in national forests.

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[Veterans \(top\)](#)

[Health](#)

Stark voted for the Millennium Health Care Act (H.R. 2116). The new law provides extended care services for veterans, including geriatric evaluation, nursing home care, domiciliary services, adult day health care, non-institutional alternatives to nursing home care, home or residence assistance, and respite care. The Act also authorizes VA to pay for emergency care on behalf of uninsured, enrolled veterans who are within 2 years of having received VA health care at the time of the emergency.

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[Education](#)

Stark voted for S.1402, the "Veterans and Dependents Millennium Education Act." The bill allows Federal veterans' education assistance benefits to be used for preparatory courses for admission tests for colleges and graduate schools and increases the monthly rate of basic educational assistance. The bill also increases the rate of survivors' and dependents' educational assistance, including assistance used for correspondence courses, special restorative training, and apprenticeship training.

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[Filipino Veterans Congressional Task Force](#)

Stark is a member of the Filipino Veterans Congressional Task Force. This task force's goal is to obtain equal benefits for Filipino World War II veterans.

Stark supported a provision in the "Foster Care Independence Act of 1999" (H.R. 1802) that allowed Filipino veterans from World War II to receive 75 percent of their Supplementary Security Income benefit if they want to return to the Philippines. The legislation became law in 1999.

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Congressional Medal of Honor

Stark joined with other Members of the Congress to recommend World War II veteran Guy Gabaldon for the Congressional Medal of Honor. PFC Gabaldon served during the Japanese occupation of the South Pacific. Fighting in the Marianas, PFC Gabaldon captured over 1000 Japanese soldiers, the most in Marine Corps history by using his command of the Japanese language. This action saved many American and Japanese civilian and soldiers lives.

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Welfare (top)

As a member of the Ways & Means Human Resources Subcommittee, Stark argued that claims of welfare reform "success" were unfounded and premature until much more becomes known about the ability of the state and federal government to meet the needs of families in need of health insurance and other vital support services.

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TANF High Performance Bonus

Stark successfully urged HHS' Administration for Children and Families to include measures of Medicaid and food stamps participation, as well as child care assistance, in a key regulation designed to improve state performance in the Temporary Assistance for Needy Families program. In letters written to ACF Administrator Olivia Golden, Stark argued that inclusion of Medicaid, food stamps and child care measures in the TANF High Performance Bonus, worth \$200 million annually, "will encourage states and the federal government to more accurately and thoroughly assess the adequacy of services being provided to low-income families leaving welfare."

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Pushing for Increased Enrollment in Health Insurance Programs

Stark also wrote to HHS urging the Administration to publicly disclose the results of audits being conducted to determine whether states are in compliance with federal law in enrolling low-income families in health insurance programs. Stark's concerns were supported by numerous reports from advocates and consumer groups that many states are failing to inform families leaving welfare for work that they remain eligible for Medicaid and food stamps assistance.

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Effect of Welfare Reform on the Disabled

Stark commissioned the General Accounting Office to carry out a study to examine what effects the 1996 Welfare Reform has had on low-income disabled individuals.

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Health Insurance Safety Net for Children

Stark testified in front of the Ways and Means Human Resources Subcommittee on his "The MediKids Health Insurance Act of 2000" (H.R. 4390) on May 16, 2000. This bill would automatically enroll every child at birth into a new, comprehensive federal safety net health insurance program beginning in 2002. Whenever a child did not have adequate coverage from other sources, this program would be available to guarantee insurance. The benefits would be tailored to the needs of children and would be similar to those currently available to children under Medicaid. This bill was not enacted.

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Assisting Foster Children as They Move Toward Adulthood

Stark cosponsored H.R. 671, Transition to Adulthood Program Act of 1999. This program helped foster children transition to self-sufficiency after they left the Foster Care program. The bill allowed States to make foster care maintenance payments with respect to a child who has not attained age 21 who would otherwise be ineligible. The legislation expanded the work opportunity tax credit to include certain individuals who received foster care maintenance payments. Many of these provisions became law in the Foster Care Independence Act of 1999 (H.R. 1802).

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Energy (top)

California Energy Crisis

Stark joined his California colleagues in cosponsoring a bill to establish cost-based rates (the cost of generation plus a reasonable profit) for wholesale electricity sales in the western United States. In addition, the bill calls for retroactive refunds for charges above cost-based rates. These refunds will be issued to California consumers who have incurred exorbitant debt due to the unjust charges. Stark will work with his colleagues to see this legislation enacted.

Stark urged President Bush to support Governor Davis's request on wholesale rates, investigate the allegations of overcharges, and act to prevent a dysfunctional electricity market from damaging California residents.

Stark, along with other western states Members of Congress, also wrote to Secretary Abraham stating that the FERC price mitigation was of limited use for California and not even offered to other western states. The letter supported real cost-of-service based rates in the West imposed by administrative action or through legislation. The letter called upon FERC to uphold the law and restore just and reasonable rates. Finally, the drafters of the letter asked that the Secretary consult with them prior to the Energy Task Force's final recommendation. The Secretary never did consult with the members expressing concerns about energy policy.

Stark cosponsored the Energy Price and Economic Stability Act of 2001, which instructs the Federal Energy Regulatory Commission (FERC) to implement short-term cost-of-service based energy rates.

This legislation would sunset on March 1, 2003. If enacted, this bill would exempt new generation facilities from the rate limits in order to encourage new energy generation. If FERC ignores the will of Congress as expressed by this resolution, then states would have the right to appeal to federal courts.

The GOP leadership refused to allow a floor consideration of this bill so Stark signed a discharge petition to force a floor vote. To date, there are not enough signatures on this petition to require a discharge.

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Methyl Tertiary Butyl Ether (MTBE)—Clean Air and Clean Water

Stark joined his California colleagues in a letter to the Administrator of EPA requesting a waiver from the 2 percent MTBE oxygenate requirement in gasoline. EPA denied the request stating that California failed to show sufficient cause to receive a waiver. The EPA's decision benefits the ethanol producers who will be able to help California meet the requirement by providing refiners with the corn-based fuel. However, ethanol is expected to drive up the cost of gasoline in California.

Stark, along with the entire California delegation, introduced HR 2270, a bill to amend the Clear Air Act to allow California to phase out the use of MBTE as a gasoline additive. In the current formulation, MTBE is contaminating drinking water across the State. A phase-out of MTBE would permit California to achieve federally mandated clean air standards without raising gas prices and without contaminating our drinking water.

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LIHEAP Funding

Stark cosponsored a resolution (H Res 300) expressing the sense of the House of Representatives that President Bush should release emergency funding under the Low-Income Home Energy Assistance Program (LIHEAP) due to the recession and the spike in unemployment. The resolution language was included in the Fiscal Year '02 Labor, Health and Human Services Appropriations conference report and enacted into law. (See also CONSUMER PROTECTION.)

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Defense (top)

Kosovo

Stark spoke out against the war in Kosovo, as well as the exorbitant emergency appropriations to fund the war.

Along with other Members of Congress, Stark filed suit against President Clinton for violating the War Powers Resolution. On May 18, 2000, the Members of Congress appealed the February 18 dismissal of their lawsuit by the Court of Appeals for the District of Columbia Circuit (203 F. 3rd 19) against President Clinton to the U.S. Supreme Court. On October 2, 2000, the Supreme Court ruled that the members did not have standing to sue the President for violating the War Powers resolution.

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International Military Education and Training

Stark was an original cosponsor of H.R. 1063, a bill which prohibits the U.S. from providing military services to countries that are prohibited from receiving International Military Education and Training (IMET) assistance. The bill would prevent foreign governments with grave human rights violations from receiving U.S. military training.

Arms Transfer Code of Conduct

Stark was an original cosponsor of H.R. 2269, the Arms Transfer Code of Conduct. The legislation passed the House of Representatives; however, it failed to pass the Senate.

School of the Americas

Stark cosponsored H.R. 732, a bill to close the School of the Americas. The bill was successfully offered as an amendment to the House Foreign Operations Appropriations bill for Fiscal Year 2000 but deleted in conference. A similar amendment failed to pass the Foreign Operations Appropriations bill for Fiscal Year 2001.

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Foreign Airshows

Stark was an original cosponsor of H.R. 1935, Restrictions on Foreign Airshows, which would prohibit the use of U.S. military equipment and personnel at foreign airshows unless the defense contractor reimburses the U.S. government for the cost of their participation.

Stark offered an amendment to the House Defense Appropriations bill for FY 2000 that would prohibit any taxpayer funds from being used for international trade and airshows. The amendment was approved by the House, but deleted in the House-Senate conference.

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Intelligence Spending

Stark cosponsored an amendment to freeze the Intelligence budget at Fiscal Year 1999 levels and to call for a CIA report on the tragic accidents that occurred over the past decade in Italy, Yugoslavia and the Persian Gulf. Although the amendment failed, it highlighted the need to scrutinize Intelligence spending.

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Foreign Affairs and Peace (top)

Stark promoted human rights and peacekeeping efforts in foreign policy initiatives, and through legislative efforts and petitions to the Clinton administration and foreign heads of state.

Stark voted against the Foreign Operations Appropriation bill for FY 2001 because it provided inadequate funding for debt relief to heavily indebted poor countries, contained anti-family planning restrictions on funding, and provided \$3.7 billion in foreign military aid.

Stark voted against the FY 2000 Supplemental Appropriation bill because it provided \$1.3 billion in weapons, equipment, and training to Colombian military. This appropriation was included in the FY 2001 Military Construction Appropriation that Stark also voted against.

Stark voted against the Foreign Operation Appropriation bill for FY 2000 because it provided inadequate funding for debt relief to heavily indebted poor countries, provided \$6 billion in foreign military aid for Colombian military to buy attack helicopters and military training, and returned authorization to Army School of Americas despite a House passed amendment striking the funding.

Stark voted for HR 1714 the Electronic Signatures in Global and National Commerce Act which provided extensive consumer protections while making electronically verified transaction legally binding as if there were a physical signature. This bill was signed into law.

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Trafficking of Women and Children

Stark cosponsored HR 3244, The Trafficking Victim's Protection Act, which is designed to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, prosecution and enforcement against traffickers, and protection and assistance to victims of trafficking.

Child Soldiers

Stark cosponsored H. Con. Res. 209 and H. Con. Res. 348 which condemned the use of child soldiers and expressed support for the United Nations protocol that prohibits the use of child soldiers under the age of 18 from serving in militaries. H. Con. Res. 248 passed the House and is waiting for the Senate to consider the resolution. The UN passed a protocol prohibiting the use of child soldiers.

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UN Funding

Stark signed letter to Conferees on FY 2000 Appropriations bill urging them to meet our financial obligations to the United Nations by paying our dues. The final bill included funding to pay the back dues owed to the UN.

Tuberculosis

Stark signed letters to Appropriations Committee conferees and is an original cosponsor of HR 4057, Stop Tuberculosis Now, to provide funding for Tuberculosis prevention, education, and treatment programs abroad. The House appropriated \$45 million and the Senate appropriated \$41 million to Tuberculosis programs for FY 2001.

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Debt Forgiveness

Stark cosponsored a bill (HR 4901) to cancel the debts of South African countries for the purpose of reconstruction after natural disasters, by authorizing appropriations.

Sanctions

Stark signed a letter to Speaker Hastert requesting him to place legislation on the floor to lift sanctions on food and medicine. (See also TRADE, Cuba.)

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HIV/AIDS

Stark cosponsored a bill to authorize \$10 million for AIDS prevention and treatment in Africa. Stark also wrote to Foreign Operations conferees requesting funding for authorized global HIV/AIDS programs.

Human Rights

Stark cosponsored a bill to recognize crimes committed on the basis of sexual orientation as a violation of human rights.

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Corporate Code of Conduct

Stark was an original Cosponsor of the Corporate Code of Conduct that encourages multinational corporations to adhere to US labor and environmental standards.

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Lori Berenson

Stark signed a letter to Alberto Fujimori urging him to provide a fair trial of Lori for the crimes she has been accused of as well as sent letter to the State Department urging them to press the Peruvian government to provide a fair trial. The Peruvian government has annulled the military sentence and passed the case on to the civil court to be reviewed.

China

Stark wrote a letter to World Bank President, James Wolfensohn, urging him to reject the China Western Poverty Reduction Project. This project would relocate 50,000 Chinese from poverty-stricken regions in China to historically Tibetan regions. With pressure from many World Bank countries and the US in particular, the World Bank called for greater scrutiny of the project. Offended by the scrutiny, China withdrew its plans to use the Bank loan to pay for the relocation.

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East Timor

Stark sent a letter to Secretary Albright urging her to support efforts to return refugees from violence after the referendum vote and provide human relief to people still in camps. The State Department committed to press the Indonesian government to support these relief efforts and to take action against militias still attacking people in raids across the East/West Timor border.

Stark also sent a letter to President Clinton urging him to continue the suspension of military aid and military-to-military relations with the Indonesian government. The President committed to maintaining the ban on IMET cooperation and military aid until congressional concerns were fully answered. He further committed to only "modest activities" concerning cooperation with the Indonesian military in the future.

Sudan

Stark wrote letter to President Clinton urging him to intervene in the civil war in Sudan. The President committed to continue sanctions on Sudan and those companies who conduct business in the country as well as continue to put pressure on the government in Khartoum respect human rights and end the civil war.

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Mexico

Stark signed letter to the Administration urging them to take action to protect the human rights of American activists in Mexico. Mexico reversed its expulsion of activist Tom Hanson who was arrested and expelled from Mexico for reporting on the human rights situation in Chiapas.

Chile

Stark sent letters to President Clinton concerning the investigation of Augusto Pinochet and the car bombing of Orlando Letelier and Ronni Moffitt in Washington, DC. The President reaffirmed commitment to release papers pertaining to U.S. cooperation with Pinochet and to continue the investigation into the car bombing.

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Guatemala

Stark signed a letter to President Arzu urging him to bring to a close the murder case of Bishop Juan Jose Gerardi. President Arzu replied expressing his commitment to continue to implement reforms and protect human rights and fight against corruption. The President also indicated that a former Member of Parliament and the former director of intelligence for the Armed Forces are being investigated.

Argentina

Stark sent a letter to Secretary Albright asking her to release all papers pertaining to the "disappearances" that occurred during the military dictatorship in Argentina. The State Department responded that the records will be reviewed for declassification in 2001.

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Burma

Stark cosponsored a resolution to urge the military dictatorship to protect human rights and open the political environment to allow opposition groups to operate in Burma.

Chad

Stark signed a letter to Secretary of the Treasury urging him to setup an independent panel to evaluate the environmental impact and human rights violations in Chad. The World Bank revised its plan in Chad to take into account concerns for the indigenous tribes and the environmental impact.

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Colombia

Stark signed a letter to President Pastrana: urging him to investigate massacred which local witnesses say were carried out by Colombian military officials.

Stark also signed letter to President Pastrana: urging him to protect the rights of the U'wa community. Columbia redrew the boundaries to expand the U'wa tribe's land to include an additional 590 square miles. In addition, Occidental Petroleum reduced the size of their project.

Stark signed letter to Secretary Albright: to put pressure on the Colombian government to protect the Peace Community in Colombia by investigating several murders that took place in March of 1999 and February of 2000.

India

Stark wrote to Speaker Hastert requesting the Prime Minister Vajpayee be allowed to address a joint session of Congress. The Prime Minister did address a joint session of Congress on September 14, 2000.

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Peru

Stark wrote a letter to President Fujimori requesting an investigation into the imprisonment of a member of a human rights group detained for possession of the work of Jose Ortega y Gasset, an early 20th century Spanish writer.

Russia

Stark wrote a letter to President Putin requesting that he release Dmitry Neverovsky from jail because he was imprisoned for refusing to fight in Chechnya.

Saudi Arabia

Stark signed letter to King Aziz requesting an investigation of an American veteran who was accused of possessing and transporting drugs and was not allowed to talk to a lawyer or have a trial before being found guilty.

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Sierra Leone

Stark cosponsored bill urging the UN to prohibit the sale of diamonds by rebel forces operating in Sierra Leone. The Foreign Operations Bill included language prohibiting foreign aid to countries that buy or sell diamonds mined by rebels in Sierra Leone.

Uganda

Signed letter to President Museveni expressing concern over the execution of children who were abducted by rebel forces.

Zimbabwe

Cosponsored resolution calling for free and fair elections and calling for the government to uphold the rule of law.

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NONPROLIFERATION and PEACE EFFORTS

Stark wrote a letter to President Clinton requesting he intervene for the release of Mordechai Vanunu: Mr. Vanunu is a nuclear technician convicted of espionage and sentenced to 18 years in an Israeli prison for reporting to a British newspaper the clandestine operations at a nuclear weapons facility. Although the President has not intervened on behalf of Mr. Vanunu, he has urged Israel and other non-parties to the Nuclear Nonproliferation Treaty to adhere to the Treaty

and accept comprehensive International Atomic Energy Agency safeguards.

Stark also wrote a letter to President Clinton requesting he defer making a decision to deploy a national missile defense system: because the technology to make a deployment decision is not completely available nor has it not been adequately tested. The decision to deploy could mean abrogation of the Anti-Ballistic Missile Treaty and increased tensions with Russia. The President has agreed to defer this decision, leaving it to the next president.

Stark was an original cosponsor of H.R. 1477: a bill to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran. The bill passed in the House of Representatives 383-1 but the Senate failed to act on the bill.

Stark was an original cosponsor of H. Res. 82: a resolution calling for the reduction of nuclear arsenal by negotiating and concluding a multilateral Nuclear Weapons Convention. California Peace Action, Tri-Valley CAREs, Alliance for Nuclear Accountability and Council for a Livable World support this bill. Congress failed to act on this bill.

Stark cosponsored H. Con. Res. 74: a resolution stating that the nuclear stockpile can be maintained with a less costly and smaller program which does not provoke other countries into increasing their arsenal. This resolution was supported by California Peace Action, Tri-Valley CAREs, Alliance for Nuclear Accountability and Council for a Livable World. Congress failed to act on this bill.

Stark was an original cosponsor of H. Con. Res. 177: a resolution urging the President to take some nuclear weapons off of hair-trigger alert immediately and to initiate negotiations with Russia over mutual measures. This resolution was also supported by California Peace Action, Tri-Valley CAREs, Alliance for Nuclear Accountability and Council for a Livable World. Congress failed to act on this bill.

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[Consumer Protection \(top\)](#)

[Proposed Barnes and Noble-Ingram Book Merger](#)

Stark wrote to the Chairman of the Federal Trade Commission (FTC) asking for close scrutiny of Barnes & Noble's proposed acquisition of the Ingram Book Group, the country's largest book wholesaler. This merger would have resulted in loss of revenue for small independent bookstores as well as forcing them to buy inventory from their competitor. Rather than face a losing battle with the FTC and their congressional allies, Barnes and Noble dropped their merger plans.

Correct Labeling of Boxed Wines

Stark wrote a letter to Treasury Secretary Lawrence Summers asking for rulemaking to close a loophole which allows makers of boxed wines to water down their product while using varietal names such as merlot and cabernet sauvignon on the labels. The Bureau of Alcohol, Tobacco and Firearms has begun the rulemaking process.

Financial Privacy

Stark was an original co-sponsor of the Consumer Financial Privacy Act (H.R. 4380), introduced on April 30, 2000. The measure would propose valuable new protections for consumers in the wake of passage of the financial modernization legislation enacted in 1999. The bill was designed to give consumers additional rights to choose whether a financial institution can share consumer financial information with third parties or affiliated firms, and to access and correct material errors in financial records. The bill also would protect sensitive medical information and detailed data about personal spending habits with an affirmative, opt-in requirement. It would protect consumers with a requirement that financial institutions provide consumers with privacy notices upon application or request. Congress failed to act on this bill.

A member of the Congressional Privacy Caucus, Stark played an active role in urging the Administration to take additional steps to strengthen proposed financial privacy regulations issued last year following enactment of the financial modernization law. (See also the HEALTH for medical privacy.)

Consumer Price Index for Seniors

Stark was an original cosponsor of H.R. 1422, a bill to provide a consumer price index specifically for the elderly, reflecting their use of medical services. Congress failed to enact this bill.

Transportation (top)

Airline Safety

Stark was an original cosponsor of H.R. 953, the Aviation Safety Protection Act establishes a whistleblower protection program for airline employees providing air safety information. This provision was included in the final Federal Aviation Administration reauthorization bill enacted in April 2000.

Reduction of Aircraft Noise

Stark cosponsored H.R. 561, the Aircraft Noise Reduction Act of 1999. The bill prohibits a person from operating any civil subsonic turbojet that fails to comply with stage three noise levels to or from an airport located in any of the 20 most populated U.S. metropolitan areas. If enacted, this bill would significantly reduce noise levels for residents living near airports.

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Federal Support for AC Transit

Stark wrote a letter to the Chairman and Ranking Member of the Transportation Appropriations Subcommittee on behalf of AC Transit requesting \$2 million for FY 2001 for Job Access and Reverse Commute funds. These funds will be used to connect the high concentration of CalWORKS (California's Welfare-to-Work program) recipients in San Leandro and Hayward to employment centers across the East Bay and basically extend the hours when many low-wage workers are forced to work. Although this project did not make it through the appropriations process, Stark supported two additional AC Transit projects that have obtained \$2 million in funding from the House but have yet to be enacted in the Senate.

Oakland Airport

Stark reached an agreement with the Port of Oakland to mitigate night-time noise from the airport's North Field over homes in San Leandro. The operational change will require FAA approval before the flight patterns change. Stark encouraged the Port to complete negotiations with the surrounding communities on their outstanding noise and airport issues.

Enhanced Air Service from San Francisco

Stark wrote a letter to Secretary of Transportation, Rodney Slater supporting United Airlines' application for new daily service from San Francisco to Shanghai and United Parcel Service's application to provide daily service to China.

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Enhanced Air Service to California

Nine different carriers were competing for the limited number of awards outside the Reagan-National Airport (DCA) perimeter. Four airlines were competing for the Los Angeles International Airport (LAX) slots. Stark wrote a letter to the Secretary of Transportation, Rodney Slater, expressing his strong support for proposals to provide twice daily nonstop service between DCA and LAX. Trans World Airlines was awarded two slots from DCA to LAX.

SFO Runway Expansion

Stark wrote a letter to FAA Administrator, Jane Garvey asking for a comprehensive analysis of the effects of SFO's plans for flight changes on neighboring communities and area noise levels. Awaiting a response from FAA.

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Environmental Impact of the SFO Expansion

Stark wrote a letter to Administrator Garvey and Mayor Willie Brown stressing the ecological significance of San Francisco Bay as a unique estuary. Stark requested that they enlist full public participation to benefit the entire region in the planning process to expand SFO. (See also the ENVIRONMENT)

BART

Stark wrote letters to the Chairman of the Appropriations Subcommittee on Transportation requesting funding for BART. BART received \$80 million for the BART-SFO extension in FY2001 and \$219 million in federal New Rail Starts for FY 2000.

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Labor (top)

Stark has been an advocate of workers in the US and abroad, striving for fair trade agreements, liveable wages, enhanced workers rights to organize, and improved working conditions. He has denounced the use of child labor and slave labor. Stark supports honoring Cesar Chavez for his achievements on behalf of workers.

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Minimum Wage Increase/Fair Pay

Stark was an original cosponsor of H.R. 325, Fair Minimum Wage Act of 1999: The bill would amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage (currently \$5.15 per hour) to \$5.65 an hour during the year beginning on September 1, 1999; and to \$6.15 an hour beginning on September 1, 2000. The bill would also make the Federal minimum requirements applicable to the Commonwealth of the Northern Mariana Islands. The House passed a bill, H.R. 3081, to increase the minimum wage by \$1 per hour over two years, but the GOP included big tax cuts for the wealthy in the final bill as a poison pill for Democrats supporting the wage increase. The Senate failed to address the measure.

Stark also cosponsored "The Fair Pay Act of 1999": that extends the Equal Pay Act's requirement of equal pay for equal work to equal pay for equivalent work of commensurate skill, effort, responsibility and working conditions. Congress failed to act on this bill.

Steel Dumping

Stark cosponsored a bill to stop the flood of foreign steel dumping in the U.S. and voted to place 1997 quota restrictions on the amount of steel being imported into the U.S. The bill passed the House of Representatives but failed to pass the Senate.

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Workers Rights

Stark wrote to President Clinton: urging him to address the Han Young workers' right to organize in Tijuana, Mexico. President Clinton did raise the issue with President Zedillo and improved labor cooperation was addressed in the Joint

Declaration signed by both parties.

Stark also wrote a letter to the Worker Rights Consortium: in support of their goal to inspect overseas factories for labor rights violations and make those inspections available to the public. The Worker Rights Consortium took steps to establish the group as an independent organization dedicated to the improvement of working conditions in factories that produce collegiate goods. There is growing support for the Consortium from 57 member colleges, including all 10 University of California campuses.

Stark wrote a letter to Dr. Mary Francis Berry: urging her to rehire all KPFA radio station employees and remove the Pacifica Foundation board from governance of the station. Employees were rehired.

Stark cosponsored H.R. 1621: a bill that would prohibit products from the Northern Marianas Islands from being labeled "Made in the U.S.A." and would deny such products duty-free and quota free treatment. Although this territory is a commonwealth of the U.S., slave laborers brought over from China often make the merchandise. Congress failed to act on this bill.

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Worker Safety

Stark stated his opposition to H.R. 987, the Workplace Preservation Act which would have prevented OSHA from promulgating a much-needed rule on ergonomics. Although the bill passed the House by a narrow margin, it was not taken up in the Senate. OSHA released its final ergonomics standard on November 11, 2000.

Honor Chavez

Stark was an original cosponsor of H.J. Res. 22, a resolution to honor Cesar Chavez by creating a federal holiday in his name. Stark offered a statement of support for the California State Senate bill at a Chabot College rally for Chavez holiday. Congress failed to act on this bill.

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[Trade \(top\)](#)

In the field of trade, Stark worked for policies to promote fair trade so that US workers are not penalized by US trade agreements with other countries. He also worked to enhance human rights, to expedite the export of food and medicine to those in dire need, to protect the environment in trade negotiations, and to facilitate world peace through nonproliferation.

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[Cuba](#)

Stark cosponsored the Cuban Humanitarian Trade Act of 1999 which amends the Foreign Assistance Act of 1961 to exempt from the embargo on trade with Cuba the export of food, medicines, or medical supplies, instruments, or equipment, or any travel incident to delivery of such items. A similar provision that prohibits the Treasury Department from using its budget to enforce the sanctions against sales of agricultural and medical products to Cuba was included in the House Treasury-Postal Appropriations bill for FY '01.

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[China](#)

MFN, 1999: Stark opposed extending Most Favored Nation status to China in the Ways and Means Committee and on

the House of Representatives floor based on China's dreadful human rights records, use of child and prison labor, nuclear proliferation, and the unfair trade practices that lie behind the US-China trade imbalance.

Stark wrote to President Clinton: expressing concern about permanent MFN status under the bilateral trade agreement between the U.S. and China. This agreement would allow China's accession to the World Trade Organization. Stark urged that the administration insist that China make measurable improvements on trade, labor and human rights issues, before we relinquish our MFN trade status leverage.

Permanent Normal Trade Relations (PNTR) for China, 2000: Stark wrote to President Clinton urging him to release to the public the bilateral trade agreement between China and the U.S. The President released the report to all Members of Congress a month later.

Stark offered amendments in the Ways & Means Committee PNTR markup: The first amendment required that Taiwan be made a member of the WTO prior to China's accession. The second amendment required that the U.S. enter into an agreement with China that provides for the exemption from negotiation of President Clinton's order banning the import of munitions, principally guns and ammunition, from China. Both amendments failed in Committee but emphasized the need to continue annual review of NTR status for China.

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[Taiwan](#)

Stark was an original cosponsor of a resolution commending Taiwan on achieving a democratic government and for carrying out its free and fair presidential elections without any interference from the People's Republic of China.

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WTO

Stark submitted additional views for the Ways & Means Committee record stating that although Stark opposed the resolution to withdraw U.S. participation in the World Trade Organization (WTO), this should not be interpreted as support for the WTO. Stark criticized the WTO for its lack of transparency and its emphasis on profit while excluding labor, the environment and human rights groups from the negotiating table. Stark also criticized the Administration for not taking a more active role in leading in these areas. Stark will continue to urge the Administration and his colleagues to provide leadership for a more responsible WTO.

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NAFTA

Stark cosponsored H.R. 2406, a bill to reauthorize the Trade Adjustment Assistance program for workers and firms suffering from the effects of the North American Free Trade Agreement. This provision was included in the omnibus appropriations bill, which reauthorizes it through fiscal year 2001.

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Mexico

Highway Safety: Stark wrote to President Clinton to express the need to maintain border-trucking restrictions in order to protect California's highways from uninspected vehicles coming across the border from Mexico. The US was recently ruled against by a NAFTA dispute settlement panel and may be forced to open its borders to unsafe trucks.

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Africa

While a proponent of growth and development for Africa, Stark opposed H.R. 434, the Africa trade bill because it did not address crucial environment and labor protections. In spite of Stark's opposition, the bill became law on May 18, 2000.

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OPEC Resolution

Stark cosponsored a resolution urging the Administration to file a case with the WTO against OPEC countries and other oil-producing nations that have colluded to set production levels, thus effectively fixing prices. Although the Administration has sought remedies to OPEC collusion through the diplomatic dialogue, it will take the World Trade Organization to make the OPEC countries comply.

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[Judiciary \(top\)](#)

PRESERVING CHOICE

Stark consistently voted to preserve a woman's right to make choices concerning reproductive health issues without government interference.

Stark voted against the Partial-Birth Abortion Ban Act of 2000 (H.R. 3660), which limits women's right to choose. Although bill passed the House of Representatives, it was not signed into law.

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DOMESTIC VIOLENCE

Understanding the Causes of Domestic Violence and Child Abuse

Stark convinced the Republican leadership to include language in the "Child Support Distribution Act of 2000" (H.R. 4678) to require Fatherhood groups receiving federal funds to disseminate information on the causes and treatment of domestic violence and child abuse.

Protecting Women Against Domestic Violence

Stark cosponsored H.R. 1248, Violence Against Women Act of 1999. The bill increases protection for women against violent crimes. Among other items, the bill provides grants to States to be used to train police officers, forensic scientists and forensic nurse examiners to investigate properly sexual assaults, domestic violence, and stalking cases. The bill provides grants to State domestic violence and sexual assault coalitions for purposes of coordinating with: (1) victim services activities; and (2) Federal, State, and local entities engaged in violence-against-women activities. The House of Representatives passed this bill.

Stark also cosponsored H.R. 3083, Battered Immigrant Women Protection Act of 1999. This bill would restore and improve a variety of legal protections for battered immigrants so that they may flee violent homes, obtain court protections, cooperate in the criminal prosecutions of their abusers, and take control of their lives without fear of deportation.

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GAY RIGHTS AND CIVIL RIGHTS

Reparation to Individuals of Japanese Ancestry

Stark cosponsored H.R. 4735, "Wartime Parity and Justice Act of 2000," which allowed individuals of Japanese ancestry who were forcibly transported from Latin America to the United States Japanese Internment Camps during World War II to be provided restitution under the Civil Liberties Act of 1988.

Hate Crimes Prevention

Stark cosponsored the H.R. 1082, "Hate Crimes Prevention Act of 1999." This legislation set penalties for persons who willfully cause bodily injury to any person because of the victim(s)' race, color, religion, or national origin of any person or gender, sexual orientation, or disability of any person. This legislation was included in the Defense Reauthorization Act.

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CRIME AND GUN CONTROL

Stark has a strong record of votes for responsible gun laws to keep our schools and streets safe. Unfortunately, the House Republican leadership has blocked almost all of the pending gun control bills. Stark supports current efforts to require gun locks and to close loopholes in background checks of gun buyers. Stark also supports community policing to make our neighborhoods safer.

Stark voted for the H.R. 1053, the "Juvenile Justice Reform Act" which includes gun control provisions that would increase penalties for misusing firearms or explosives, and authorize increased funding of federal gun control law enforcement.

Stark cosponsored and voted for the H.R. 4033, the "Bulletproof Vest Partnership Grant Act of 2000." The bill passed the House of Representatives 413-3. This bill helps provide bulletproof vests and body armor to every law enforcement officer in America who needs one.

Stark cosponsored HR 1512, the "Child Safety Lock Act of 1999," which prohibits any person from transferring or selling a firearm, in the United States, unless it is sold with a child safety lock.

Stark cosponsored HR 2916, the "Handgun Licensing Act," which prohibits an unlicensed individual from receiving a handgun or handgun ammunition without possessing a valid handgun license issued to the individual by the State in which the transaction takes place.

Stark cosponsored H.R. 920, the "Firearms Safety and Consumer Protection Act of 1999" which directs the Secretary of Treasury to prescribe such regulations governing the design, manufacture, and performance of firearm products.

Stark cosponsored HR 2025, the "Childproof Handgun Act of 1999" which bans the manufacturing of handguns that cannot be personalized so as to allow only the adult who purchased the gun to fire it.

Stark cosponsored H.R. 4167, the "Innocence Protection Act of 2000" which reduces the risk that innocent person will be put to death by the death penalty.

Stark cosponsored H.R. 3235, the "National Police Athletic League Youth Enrichment Act of 1999" which increases

membership in the National Police Athletic League.

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Campaign Finance Reform

Stark cosponsored and voted for H.R. 417, "Bipartisan Campaign Finance Reform Act of 1999." This bill would have reformed the financing rules for federal elections but was not enacted.

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Tax (top)

Stark has long been viewed as a reformer of the income tax system, working to close loopholes and ensure that our tax laws are administered fairly. Stark vigorously opposed Republican efforts to pass on huge tax cuts to the wealthy while depleting future budget surpluses that might better be used to restore solvency to the Medicare and Social Security trust funds, pay for a Medicare prescription drug benefit, or guarantee health coverage for all our children.

Corporate Tax Shelters

Stark was an original cosponsor of H.R. 2255, Abusive Tax Shelter Shutdown Act of 1999. This bill would close the loopholes to prevent tax abuses by corporations in order to decrease their tax liability. Although the Chairman of the Ways & Means Committee promised action on this issue this year and hearings were held, nothing was reported out of Committee.

Disclosure of Source of Funds by Political Organizations

Stark was an original cosponsor of a bill to require disclosure of the source of funds received by political organizations organized outside the scope of the Federal Election Commission. On July 1, 2000, President Clinton signed into law H.R. 4762, requiring disclosure by section 527 political organizations (under the Internal Revenue Code). The bill had been overwhelmingly approved by the House June 27 (385-39) and by the Senate June 29. This action was the culmination of recent reform efforts focused on requiring disclosure by tax-exempt organizations engaged in election-related activity.

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Estate Tax Repeal

Stark adamantly opposed the estate tax repeal. This bill gives \$100 billion over 10 years, \$50 billion/year thereafter, to the wealthiest 5% of U.S. taxpayers. The bill passed 279-136. Clinton vetoed the bill and Democrats sustained the veto.

Marriage Penalty Tax

Stark voted against the Republican version of this bill because of its excessive cost (\$100 billion over 10 years) and its unfair distribution of tax relief. The House passed bill would have provided tax cuts to married couples who do not have a marriage tax penalty, and the majority of its benefits would go to upper-income couples. President Clinton vetoed the bill and the House sustained the veto.

Fair Tax Administration for Native Americans

Stark wrote to Secretaries Cohen and Babbitt, as well as Attorney General Reno requesting their immediate personal intervention to ensure that Native Americans serving in the military who claim a federally recognized Indian reservation as their legal domicile are not subject to withholding of state income taxes. Stark is awaiting a response.

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Structured Settlement Reform

Stark worked to protect those injured by tortious activity so that their settlement payments are not unwittingly assigned at excessive discount to unscrupulous third parties. Stark authored, along with Rep. Shaw, HR 263, a bill to impose an excise tax on purchasers of structured settlement payments. It is intended that the excise tax would close a market of aggressive sales tactics used to pressure the disabled to sell the payments they are entitled to as a result of an injury. The bill, which enjoys broad bipartisan and bicameral support, would create an economic disincentive to the companies now preying on the disabled. Many advocates for the disabled support the bill.

Foreign Sales Corporations

Stark has fought corporate welfare and supports the WTO ruling that finds the Foreign Sales Corporation to be an illegal export subsidy under international trade laws.

Stark offered an amendment in the Ways & Means Committee that would have prohibited pharmaceutical companies from receiving the full Foreign Sales Corporation (FSC) tax benefit if they charge American consumers 5% more than what is charged to foreign consumers.

Under the current Foreign Sales Corporation scheme, weapons exporters may qualify for up to 50% of the FSC tax benefit. Under the new scheme, arms dealers will be able to reap the full benefit of the subsidy. Stark offered an amendment in the Ways & Means Committee that would have exempted military weapons exporters from receiving the benefit.

Both amendments failed but Stark continued the fight in the Senate by raising awareness of the issues and providing his Senate counterparts with similar amendments for markup in the Senate Finance Committee. Although the FSC bill is expected to pass with the pharmaceutical and weapons industries receiving the full tax benefit, Stark helped postpone the October 1, 2000 deadline. (See also MEDICARE, prescription drug benefit.

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[Joint Economic Committee \(top\)](#)

As ranking Democrat on the Joint Economic Committee (JEC), Stark worked on economic issues of practical importance to Americans. Through the JEC, Stark released numerous reports and made economic analysis available to the Congress and the public on the following issues: the need for livable wages and affordable, quality healthcare for all Americans; the rising income gap between American workers and American CEOs; the pernicious effect of welfare changes on many children; the opportunity to enhance education; and the need for US policies to help alleviate poverty abroad.

[The State of the US Economy](#)

Stark, with the economists on the Committee staff, studied current trends in US economy and prepared the Democratic contribution to the Committee's annual report, which included a survey of the US economy, as well as sections on the need to raise the minimum wage, expand living wage proposals, implement prescription drug coverage, and improve access to high quality and affordable health care. Stark and his staff served as a resource on economic matters for all Democratic members of Congress.

[Income Distribution](#)

At Stark's direction, the Committee staff documented the widening gap in income distribution and reported these findings to all members of Congress through numerous "Dear Colleague" letters and fact sheets. Material was also used by other Members of Congress. The Committee also documented the growing gap between CEO compensation and that of average American workers.

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Minimum Wage

Stark argued in support of raising the minimum wage, based on the fact that its real value has been eroded over the last 20 years. His Committee staff disseminated analysis on the need to raise the minimum wage to all members of Congress and analyzed the demographics of who receives the minimum wage, as well as the economic consequences of raising the minimum wage. Under Stark, the Committee studied numerous Living Wage programs currently in place around the country, considered ways to expand the program, and provided background material for Congressional proponents of raising the minimum wage.

American Family Illustrations

As a way of illustrating economic realities and concerns for most Americans, Stark's staff developed a fictional family based on national averages taken from official statistics in order to better illustrate how families cope with their economic challenges.

Welfare Reform

At Stark's direction, the Committee staff prepared Dear Colleague letters on limited success of welfare reform, on increasing rate of women and children leaving welfare and losing health coverage, and on the limited success of the Children's Health Insurance Program. Stark included chapters in JEC Annual Report on limited success of the Children's Health Insurance Program, and on the Aftermath of Welfare Reform.

The Federal Budget

Stark led a portion of the floor debate on the FY 2001 budget, arguing that the Administration's budget was fiscally responsible and the Republican alternative was not. He also pointed out that the Administration's budget placed a high priority on education and health care, while the Republican budget emphasized defense over education and health care.

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Technology

Stark participated in Committee hearings on High Tech industries and the Biotech industry more specifically. Stark focused attention at the High Tech hearings on the pressing need to provide more resources for education -- both at the elementary and secondary level, as well as higher education. Stark stressed the need to make new miracle drugs widely available and more affordable.

Debt Forgiveness

Stark argued strongly in favor of forgiving some of the outstanding debt of highly indebted, poor countries which is causing significant economic hardship in these countries.

IMF/World Bank Reform

While participating in JEC hearings, Stark called for immediate reform of the international financial institutions, including the International Monetary Fund and the World Bank. Stark made the case that these institutions need to pay more attention to basic human needs, such as food, shelter and health, rather than just focusing on economic stability.

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LIST OF JOINT ECONOMIC COMMITTEE HEARINGS AND PUBLICATIONS

Hearings (14):

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September 27, 2000-- The Strategic Petroleum Reserve

June 6-7, 2000 - High Tech Summit II

April 12, 2000 - Reform of the IMF and World Bank

March 9, 2000 - Supply-Side Economics

March 3, 2000 - The Employment Situation: February 2000

February 23, 2000 - Cyber-Threats and the US Economy

September 29, 1999 - Biotechnology Summit

September 13, 1999 - Tax Cuts and the Budget Surplus

August 6, 1999 - The Employment Situation: July 1999

July 21, 1999 - Transparency and the Financial Structure of the IMF

June 17, 1999 - The Economic Outlook and Monetary Policy

June 14-16, 1999 - High-Tech Summit

March 5, 1999 - Employment Situation - February 1999

March 4, 1999 - Economic Growth Through Tax Cuts

Reports (4):

-

2000 Annual Report on the State of the Economy - Minority Perspective

April 5, 2000

-

Unfinished Business

November, 1999

-

1999 Annual Report on the State of the Economy - Minority Perspective

1998 Annual Report on the State of the Economy - Minority Perspective

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[Dear Colleague Letters \(14\):](#)

-

The Erosion of the Minimum Wage Has Saved US Businesses \$132 Billion Over the Last 20 Years

September 18, 2000

The US Economy Performs Better Under Democratic Administrations

September 11, 2000

Pharmaceutical Companies Could Almost Double Their R&D Budgets and Remain as Profitable as the Average Fortune

500 Company

June 12, 2000

Microsoft Denies Rights to a Third of its Workers

June 6, 2000

CEO Compensation Grows 18 Times Faster than Average Wages for All Workers

May 10, 2000

The Growing Gap Between the Rich and Poor in the Fifty States

March 31, 2000

The Growing Gap Between the Wealthy and the Rest of Americans

March 22, 2000

Congressional Research Service Finds Pharmaceutical Industry Faces Low Tax Rates, Despite High Profit Rates

February 14, 2000

Significant Growth in Pharmaceutical Costs Drive Up Total Health Care Expenditures

February 9, 2000

Top 10 Myths About the Minimum Wage

November 16, 1999

It's Too Early to Celebrate Welfare Reform's 'Success'

September 16, 1999

Who Earns the Minimum Wage?

September 14, 1999

Leading Economists Denounce Tax Cuts

August 2, 1999

Recent Developments in the U.S. Economy

June 1, 1999

Constituent Service (top)

Cutting Through Red Tape

Stark helped constituents work through problems they have with the federal government. During the course of this congressional term, Stark and his staff resolved approximately 2,000 cases. For some people, this was a matter of tracking down a missing check from Social Security. For others, help involved strong advocacy to assist constituents in pursuit of their claims before the government. Often times, constituent work allows family members from overseas to be reunited with their kin in times of illness or joyous family celebrations. But always it is a privilege to help the people of the 13th congressional with their federal concerns.

Below are just a few examples of cases successfully resolved:

A constituent discovered that another person was using his social security number to file a 1999 income tax return. Since the constituent was entitled to a refund of \$1872.55, it was going to be refunded to the wrong person. With our help the Internal Revenue Service was able to correct the error and send our constituent his refund.

Stark's office was contacted by the coordinator for a program that invites a delegation of Chinese children to the U.S. to participate in summer camps. The Chinese children and counselors were not able to get visitor visas to enter the U.S. With Stark's help, they were able to secure visas and participate in the program.

A famous soccer player was hired and his team was not able to get his I-129 (petition for a nonimmigrant worker) approved. Since this situation was time sensitive (season games ending September 2, 2000) the corporation requested Stark's assistance. Stark was able to get the I-129 approved, allowing the player to participate in the remaining games.

A federal worker had a claim pending with Office of Workers Compensation Program (OWCP). Meanwhile, he was in foreclosure proceedings because he was behind in his house payments. With Stark's help, the constituent received a \$10,350.76 reimbursement from OWCP, stopping the foreclosure of his home.

A constituent's nephew was going to turn 21 on August 16, 2000. An immigrant visa interview was scheduled in New Delhi Embassy on August 14, 2000, making it too late for him to immigrate to the U.S. With Stark's help, he was given an open interview date allowing him to leave New Delhi and arrive in the U.S. prior to his 21st birthday.

A constituent's mother recently became a widow. Her deceased husband had been a Veteran. With Stark's help, she was able to receive her social security payment and widows benefit payment from the Veterans Administration promptly (within 2 weeks of her husband's death).

A constituent passed away and his family could not prove that he was a Veteran. His medical and funeral bills were coming due and the Veterans Administration would not pay without a DD-214 (military separation document). After numerous phone calls by Stark's office, the National Personnel Records Center was able to find his separation document.

An 11-year-old boy was going to be deported by the INS because a lawyer gave his parents some bad advice. A community-based organization contacted Stark for help. Stark's office spoke with an official in the San Francisco-INS office who was willing to help resolve this case. A stay of deportation was granted the same day that the child was to leave the US.

A disabled Veteran ran out of his state disability. He had to file for SSI. His home was going to be foreclosed, but Stark's office contacted the VA to help him out with his home and the SSA to start his payments. He was owed \$12,956 in back pay from SSI. He received his check from SSI and saved his home.

A disabled Veteran contacted Stark's office to see if he could qualify for increased benefits. With Stark's help, he was awarded 100% unemployable disability. (He had been receiving 80%.) A retroactive check in the amount of \$33,414.00 was sent to him that represents back pay from 2/1/97. He will receive \$2116.00 in monthly benefits as well.

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[Local Issues \(top\)](#)

Stark advocates for the 13th congressional district by requesting federal appropriations for projects in our area and by supporting grant requests for local organizations.

Appropriation and Authorization Requests

San Leandro Marina-Stark requested and received \$1.5 million for the San Leandro Marina Dredging Project in the VA-HUD bill signed into law in October 2000.

Flood Control Studies-Stark requested and received authorization for \$200,000 in the Water Resources Development Act (WRDA) to be used for two flood control studies.

Hayward Marsh- Stark requested but did not receive \$4 million in the Interior appropriations subcommittee to fund the clean-up of the Hayward Marsh, a 145-acre marsh serving as a wildlife habitat for several endangered species.

Business and Technology Center for California State University, Hayward- Stark requested but did not receive \$2 million to aid in the construction of a California State University, Hayward \$20 million Business and Technology Center.

California Urban Environmental Research and Education Center- Stark requested but did not receive \$1 million in the VA-HUD appropriations subcommittee for the California Urban Environmental Research and Education Center (CUEREC), a program that fosters public/private partnerships to solve environmental problems at a grassroots level.

Bomb Containment Investment for the Sheriff's Office- Stark requested but did not receive \$230,000 for Alameda County Sheriff Bomb Squad to pay for the CERES/NABCO Bomb Treatment System.

Juvenile Justice Facility in Alameda County --Stark requested but did not receive \$13.5 million for the Juvenile Justice Facility which has been frequently overcrowded since 1995.

Letters of Support

EXCEL Program at California State University, Hayward (CSUH)

Stark wrote a letter of support for funding for the EXCEL Program at California State University, Hayward (CSUH) to the U.S. Department of Education. EXCEL assists program participants to achieve levels of educational and personal development, which enable them to lead fuller and more productive lives. In the long run, this program is cost-effective, giving back to the community and to the nation by producing citizens who are educated, productive, and involved in their community. The application is pending.

E-rate funding for Hayward Unified School District

Stark wrote a letter to William E. Kennard, Chairman Federal Communications Commission to protest the denial of Hayward Unified School District to receive E-rate funding from the Federal Communications Commission Schools and Libraries division. E-rate funding is used to provide elementary and secondary schools access to the internet.

HOPE grant to Fund Alameda County's Work with the Elderly

Stark wrote Department of Housing and Urban Development (HUD) Secretary Cuomo a letter to ask for the extension of the HOPE grant to fund Alameda County's elderly through the Early Independence program. The Alameda program creates a living situation where the frail elderly can maintain independent living.

Low-Income Housing Funds for Eden Housing

Stark wrote a letter to Secretary of Housing and Urban Development (HUD) Andrew Cuomo to request HUD funding for Eden Housing's proposal to develop 16 units of housing for low income developmentally disabled in San Leandro. Eden Housing received federal funds as a result of this request.

Housing Funds for Seniors in San Leandro

Stark wrote a letter to Secretary of Housing and Urban Development (HUD) Andrew Cuomo to request HUD funding for The American Baptist Homes of the West and San Leandro Community Church for a 60-unit affordable housing project in San Leandro for housing seniors. The status of the funding is pending.

Stark wrote a letter to Dr. Mary Francis Berry to rehire all KPFA radio station employees and remove the Pacifica Foundation board from governance of the station.

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Sponsored Bills and Resolutions

Children's Memorial Day

Stark sponsored House Resolution 147, which declares that the House of Representatives supports the goals and ideas of the Children's Memorial Day (the fourth Friday in April). The Resolution commends the Alameda County Board of Supervisors for its efforts to improve the lives of children in Alameda County, California; and the Child Welfare League of America for its efforts to prevent violence against children throughout America.

FEMA reimbursement for certain costs of residents in flood zones

Stark introduced the National Flood Insurance Program Fairness Act of 2000. This bill requires FEMA to reimburse a resident for reasonable costs incurred in connection with a surveyor or engineer for an appeal to the Director that is successful. The bill also changes the process by which residents affected by changes to flood insurance rate maps are notified by FEMA. This will allow residents more time to file appeals and to purchase flood insurance. The need for this bill became apparent when FEMA changed the flood zones in Alameda County without a clear and adequate notice process to homeowners.

Dioxin Discharges in San Francisco Bay

Stark wrote the Environmental Protection Agency asking them not to weaken limits on Dioxin discharges into San Francisco Bay. Stark also wrote Governor Davis last year asking him to eliminate dioxin discharges from the Bay. Dioxin is a highly toxic chemical that is discharged into the Bay from an oil refinery in Martinez.

High School Arts Competition

Stark, along with the Hayward Arts Council, sponsored the 1999 & 2000 High School Arts Competition in which over 25 schools in the 13th Congressional District submitted entries.

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